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Total Number of Pages in This Submission

Application Number	10/727,970
Filing Date	December 4, 2003
First Named Inventor	Shih-Yew Lai, et al.
Art Unit	1713
Examiner Name	Roberto Rabago
Attorney Docket Number	DOW-8544-CJ

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ENCLOSURES (Check all that apply)

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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or individual name	Alan E. Wagner, Esq. Whyte Hirschboeck Dudek S.C. 555 East Wisconsin Avenue, Milwaukee, WI 53202
Signature	<i>Alan E. Wagner</i>
Date	May 6, 2004

CERTIFICATE OF TRANSMISSION/MAILING

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

Attorney Docket No. DOW-8544-CJ (40121CJ)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Shih-Yaw Lai, et al.
 Serial No. : 10/727,970
 Filing Date : December 4, 2003
 For : Elastic Substantially Linear Olefin Polymers
 Group Art Unit : 1713
 Examiner : R. Rabago

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

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- transmitted by facsimile to Fax No.: 1-703-872-9306 addressed to Examiner Roberto Rabago at the Patent and Trademark Office.

Date: May 6, 2004

Rosa Strong

Commissioner for Patents
 P.O. Box 1450
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RESPONSE UNDER 37 C.F.R. §1.111**INTRODUCTORY COMMENTS**

Dear Sirs:

This Response replies to the Office Action mailed February 11, 2004.

The Examiner has rejected Claims 41–43 under the judicially-created doctrine of obviousness-type double-patenting. Although the Examiner made provisional double-patenting rejections over 3 co-pending applications, one of the cited patent applications (10/270,212) has since issued (as US 6,737,484) and another (10/176,304) has been abandoned as of 2/26/04. Therefore, the Applicants include a Terminal Disclaimer containing a provisional disclaimer

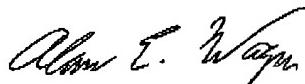
Shih-Yaw et al.

S/N: 10/270,212

over USSN 10/354,416 and non-provisional disclaimers over US Pat. Nos. 6,737,484; 5,525,695; 5,380,810; 6,534,612; 6,136,937; and, 5,783,638.

The Applicants believe that the above remarks and terminal disclaimer place the application in condition for allowance. Therefore, the Applicants request that the Examiner issue a Notice of Allowance for Claims 41-43.

Respectfully submitted,



Dated: May 6, 2004

Alan E. Wagner
Registration No. 45,188

P.O. ADDRESS:

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